

S/N: 10/068,117

Atty Dkt No. WSIL 0160 PUS

Reply to Office Action of June 20, 2003

### Remarks

Reconsideration of the above-identified application in view of the present amendment is respectfully requested. Applicant wishes to thank the Examiner for the consideration during the informal telephonic dealings in connection with the above-identified application. Applicant feels these dealings were quite helpful in advancing prosecution.

The present Amendment amends claims 1, 8, 18 and 26. The present Amendment also cancels claims 2, 5-7, 17, 20, and 27-29. No new matter has been added by the present Amendment.

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by *Witucki* as well as by *Yamaya*. Claim 20 was indicated in the Office Action as being allowable. Without acquiescing in the Examiner's grounds for rejection or conceding its non patentability, and solely for the purpose of expediting prosecution, claim 1 has been amended to include the limitations of claim 20 and its intervening dependent claims. Accordingly, claim 1 is patentable.

Claims 3-4, 9-16, 18-19 and 21-23 all depend either directly or indirectly from claim 1 and are therefore allowable for at least the same reasons as claim 1. Moreover, these claims recite further limitations that make them independently patentable.

Independent claim 26 was rejected under 36 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over *Yamaya*. As discussed in the telephonic dealings with the Examiner, claim 29 has not been rejected by the prior art, and is thus has been indicated as being allowable. Without acquiescing in the Examiner's grounds for rejection or conceding its non-patentability, and solely for the purpose of expediting prosecution, claim 26 has been amended to include the limitations of claim 29 and the intervening dependent claims. Accordingly, claim 26 is allowable.

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As also discussed during the telephonic dealing with the Examiner, claims 30-33 did not receive prior art rejection and as such are allowed.

Claims 1-23 and 26-33 were rejected under the judicially created doctrine of obvious type double patenting as being unpatentable over claims 1-13 of U.S. Patent No. 6,344,520. A Terminal Disclaimer over U.S. Patent No. 6,344,520 is enclosed herein. Withdrawal of the rejection of the claims under obvious-type double patenting is solicited.

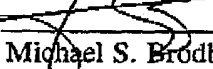
The present Amendment was not earlier presented because the applicant believed that the prior amendment had placed the application in a condition for allowance. The present Amendment does not raise any new issues and does not require any further searching on the part of the Examiner. It is believed that the present Amendment places the application in a condition for allowance. Entry is therefore respectfully solicited and applicants respectfully request a notice of allowance. If the Examiner believes that further discussion is required to advance prosecution of this application, the Examiner is highly encouraged to telephone applicant's attorney at the number given below.

Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978 -- a duplicate of the Terminal Disclaimer is enclosed for that purpose.

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Respectfully submitted,  
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Date: September 22, 2003

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